

**SUPREME COURT MINUTES
WEDNESDAY, JULY 21, 2010
SAN FRANCISCO, CALIFORNIA**

S182621 F057384 Fifth Appellate District **PEOPLE v. DOWL (LEWIS MARCUS)**

Petition for review granted

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S182629 B211932/B214302 Second Appellate District, Div. 1 **SHALANT (JOSEPH L.) v. GIRARDI (THOMAS V.)**

Petition for review granted

Respondent Thomas V. Girardi's petition for review is granted.

Respondent Jose Castro's petition for review is denied.

George, C. J., was recused and did not participate.

Votes: Corrigan, A. C. J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S183552 A123042 First Appellate District, Div. 5 **PEOPLE v. PELAYO (ANTONIO PLASCENCIA)**

Petition for review granted; briefing deferred

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Brown*, S181963 (see Cal. Rules of Court, rule 8.524 (c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.528, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S184314 E047271 Fourth Appellate District, Div. 2 **PEOPLE v. OTUBUAH (MICHAEL AYIKU)**

Review granted on the court's own motion; briefing deferred

Review is ordered on the court's own motion.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Brown*, S181963 (see Cal. Rules of Court, rule 8.524 (c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.528, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S131322**LEWIS (RAYMOND
ANTHONY) ON H.C.**

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus, filed on February 4, 2005, is denied.

All claims are denied on the merits. Except for Claims 9 and 10, all claims are procedurally barred as untimely. (*In re Robbins* (1998) 18 Cal.4th 770, 780-781; *In re Clark* (1993) 5 Cal.4th 750, 763-799.) Except for Claims 3, 9 and 10, all claims are also procedurally barred as successive. (*In re Robbins, supra*, 18 Cal.4th at p. 788, fn. 9; *In re Clark, supra*, 5 Cal.4th at pp. 767-768; *In re Horowitz* (1949) 33 Cal.2d 534, 546-547.) Except to the extent it raises a claim of ineffective assistance of counsel, Claim 7 is also barred by *In re Dixon* (1953) 41 Cal.2d 756, 759, to the extent it was not raised on appeal. To the extent Claim 7 asserts insufficiency of the evidence relating to petitioner's unadjudicated acts of violence, it is also barred under *In re Lindley* (1947) 29 Cal.2d 709, 723.

S154015**LEWIS (RAYMOND
ANTHONY) ON H.C.**

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus, filed on June 29, 2007, is denied.

All claims are denied on the merits. Except for allegations of ineffective assistance of counsel, Claims One, Two, Three, Four, Five, and Six are barred by *In re Waltreus* (1965) 62 Cal.2d 218, 225, to the extent they were raised and rejected on appeal, and by *In re Dixon* (1953) 41 Cal.2d 756, 759, to the extent they were not raised on appeal. Claims One, Two, Three, Four, Five, and Six are also barred as untimely (*In re Robbins* (1998) 18 Cal.4th 770, 780-781; *In re Clark* (1993) 5 Cal.4th 750, 763-799) and successive (*In re Robbins, supra*, 18 Cal.4th at p. 788, fn. 9; *In re Clark, supra*, 5 Cal.4th at pp. 767-768; *In re Horowitz* (1949) 33 Cal.2d 534, 546-547). Claim Seven, subclaim H is barred as untimely and successive. (*In re Robbins, supra*, 18 Cal.4th at pp. 780-781, 788, fn. 9; *In re Clark, supra*, 5 Cal.4th at pp. 767-768.) Except for allegations of ineffective assistance of counsel, it is further barred by *In re Dixon, supra*, 41 Cal.2d at page 759, to the extent it was not raised on appeal; and finally, it is not cognizable on habeas corpus. (*In re Lindley* (1947) 29 Cal.2d 709, 723.) Claim Seven, subclaim J is barred as untimely and successive. (*In re Robbins, supra*, 18 Cal.4th at pp. 780-781, 788, fn. 9; *In re Clark, supra*, 5 Cal.4th at pp. 767-768.) Except for allegations of ineffective assistance of counsel, it is further barred by *In re Waltreus, supra*, 62 Cal.2d at page 225, to the extent it was raised and rejected on appeal, and by *In re Dixon, supra*, 41 Cal.2d at page 759, to the extent it was not raised on appeal.

S181363

B196643 Second Appellate District, Div. 4

IN RE EMERALD R.

Petitions for review denied

S182033 B220972 Second Appellate District, Div. 8

Petition for review denied

**GONZALEZ (ALFONSO
ARMANDO) ON H.C.**

S182123 B212183 Second Appellate District, Div. 4

Petitions for review & publication request(s) denied

**PEOPLE v. BOTELLO
(RAMON)**

S182323 B212342 Second Appellate District, Div. 1

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Dungo*, S176886, *People v. Gutierrez*, S176620, *People v. Lopez*, S177046, and/or *People v. Rutterschmidt*, S176213.

**PEOPLE v. WILLIAMS
(SMITTY)**

S182353 A122831 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. YEPEZ
(ADALBERTO MIRANDA)**

S182411 B211325 Second Appellate District, Div. 3

Petitions for review denied

**PEOPLE v. PEREZ (JOSE
LUIS)**

S182418 D055327 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MILOSAVLJEVIC
(PETER FRANCES)**

S182473 G040331 Fourth Appellate District, Div. 3

Petition for review denied

Kennard, J., is of the opinion the petition should be granted as to the claim of cruel or unusual punishment.

**PEOPLE v. KHALIFA
(SHAWN MALONE)**

S182523 H033369 Sixth Appellate District

Petition for review denied

**PEOPLE v. MITCHELL
(VITO LEE)**

S182538 E049002 Fourth Appellate District, Div. 2
Petition for review denied

**PEOPLE v. HOLMES
(LONNIE LEE ODELL)**

S182558 E046559 Fourth Appellate District, Div. 2
Petition for review denied

**PEOPLE v. NAKAI
(KARAMPAL SINGH)**

S182623 D054175 Fourth Appellate District, Div. 1
Petition for review denied

**PEOPLE v. SHACK (JAMES
DARNELL)**

S182637 E045628 Fourth Appellate District, Div. 2
Petition for review denied

**PEOPLE v. VARELA (RUBEN
QUINTANAR)**

S182645 D054025 Fourth Appellate District, Div. 1
Petition for review denied

**PEOPLE v. LEWIS, JR.,
(JACK HENRY)**

S182662 B215736 Second Appellate District, Div. 4
Petition for review denied

**PEOPLE v. BRYANT
(SASSONY WYKEIMPAIGE)**

S182676 D055331 Fourth Appellate District, Div. 1
Petition for review denied

**PEOPLE v. HERNANDEZ
(CHRISTOPHER PRIETO)**

S182721 E047898 Fourth Appellate District, Div. 2
Petition for review denied

**PEOPLE v. BECKER
(WALTER)**

S182742 B210546 Second Appellate District, Div. 5
Petition for review denied

**PEOPLE v. CAMACHO
(GEORGE)**

S182817 C064776 Third Appellate District

Petition for review denied

DOE (JOHN TZ) v. S.C.(DOE 1)

S182829 E048769 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. FUTTER (MICHAEL)

S182856 B224027 Second Appellate District, Div. 6
Petition for review denied

PEOPLE v. S.C. (FERRARI)

S182862 B213565 Second Appellate District, Div. 8

Petition for review denied

PEOPLE v. SMART (AARON LEVART)

S182870 G043377 Fourth Appellate District, Div. 3

Petition for review denied

MONTOYA (MIGUEL) ON H.C.

S182912 B208726 Second Appellate District, Div. 4

Petition for review & publication request(s) denied

COMMUNITY REDEVELOPMENT AGENCY OF LOS ANGELES v. KRAMER METALS

S182916 E047477 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. FERGUSON (KATHLEEN)

S182934 A128447 First Appellate District, Div. 3

Petition for review denied

GLASSMAN (COREY) ON H.C.

S182949 C064823 Third Appellate District

Petition for review denied

CHAPPELL (MATTHEW) ON H.C.

S182955 F058977 Fifth Appellate District

Petition for review denied

GIOTTA (MARIO) ON H.C.

S182970 A128449 First Appellate District, Div. 3

Petition for review denied

WALKER (MELVIN) ON H.C.

S182993 F059300 Fifth Appellate District

Petition for review denied

Baxter, J., was recused and did not participate.

WEIDERT (DAVID) ON H.C.

S183023 B213991 Second Appellate District, Div. 2

Petition for review denied

FRANKLIN (MAURICE EDWARD) v. PACE (DEAN FRANCIS)

S183026 B215600 Second Appellate District, Div. 4

Petition for review denied

HAYER (JOSH) v. BNSF RAILWAY COMPANY

S183044 C062368 Third Appellate District

Petition for review denied

PEOPLE v. GARCIA (SALVADOR REAL)

S183047 B218495 Second Appellate District, Div. 7

Petition for review denied

PEOPLE v. LEWIS (GEORGE BENJAMIN)

S183058 B212116 Second Appellate District, Div. 1

Petition for review denied

PEOPLE v. VILLA (FRANCISCO)

S183069 B209890 Second Appellate District, Div. 5

Petition for review denied

**WOOSLEY (CHARLES
PATRICK) v. STATE OF
CALIFORNIA**

S183078 F058131 Fifth Appellate District

Petition for review & publication request(s) denied

**KENT (ROBERT D.) v. LAKE
DON PEDRO COMMUNITY
SERVICES DISTRICT**

S183080 C064873 Third Appellate District

Petition for review denied

ARAIZA (DANIEL) ON H.C.

S183113 B215090 Second Appellate District, Div. 7

Petition for review denied

PEOPLE v. AJAJ (ADNAN)

S183144

Petition for review denied

**FORREST (ERNESTINE) v.
DUNN KOES LLP.**

S183152 B224117 Second Appellate District, Div. 2

Petition for review denied

THAHER (HUSAM) ON H.C.

S183155 C059226 Third Appellate District

Petition for review denied

**PEOPLE v. RHODES
(KENNETH DARRYL)**

S183166 A122524 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. HIGGINS
(PATRICK JAMAL)**

S183171 A125024 First Appellate District, Div. 4

Petition for review denied

IN RE JOSEPH P.

S183193 B224326 Second Appellate District, Div. 2
Petition for review denied

MEJICO (STEVE) ON H.C.

S183234 D054989 Fourth Appellate District, Div. 1
Petition for review denied

**SIXUVUS, LTD. v. WILLIS
(VICTOR)**

S183249 G041669/G042052 Fourth Appellate District, Div. 3
Petitions for review denied

**PEOPLE v. ESTRADA (LUKE
NAPOLEON)**

S183250 A126071 First Appellate District, Div. 4
Petition for review & publication request(s) denied

**KRUSI (BUD HERMAN),
ESTATE OF**

S183255 C061672 Third Appellate District
Petition for review denied

**PEOPLE v. MARTIN (CURT
ORLANDO)**

S183263 G041468 Fourth Appellate District, Div. 3
Petition for review denied

**PEOPLE v. ELKINS (DAVID
ROBERT)**

S183264 B223624 Second Appellate District, Div. 5
Petition for review denied

JIMENEZ (BORIS) OH H.C.

S183284 A126589 First Appellate District, Div. 2
Petition for review denied

**ELIZALDE (GAMALIEL) v.
S.C. (PEOPLE)**

S183297 A126588 First Appellate District, Div. 2
Petition for review denied

**MOTA-AVENDANO (JOSE) v.
S.C. (PEOPLE)**

S183302 G043670 Fourth Appellate District, Div. 3
Petition for review denied

**MARTINEZ (DANIEL) ON
H.C.**

S183307 A127098 First Appellate District, Div. 3

Petition for review denied

**KHAZAELI (HAMID) v.
WORKERS'
COMPENSATION APPEALS
BOARD/(SYSMaster
CORPORATION &
SPEDIA.COM)**

S183310 B215787 Second Appellate District, Div. 3

Petition for review denied
The request for judicial notice is denied.

**PERRY (MOSHE) v.
MEGUERIAN (ANNA)**

S183361 G041605 Fourth Appellate District, Div. 3

Petition for review denied

**MBK CELAMONTE LLC. v.
LAWYERS TITLE
INSURANCE CORPORATION**

S183377 D055085 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. ROBERTS (KERY
RASHAD)**

S183395 C059599 Third Appellate District

Petition for review denied

**PEOPLE v. CUMMINGS
(SHERMAN)**

S183407 B215167 Second Appellate District, Div. 6

Petition for review denied

**WOLF (RICHARD) v. WOLF
(CHRISTINE)**

S183420

Petition for writ of mandate/prohibition denied

**BLIGHT (HARVEY) v. S.C.
(HILLEGASS)****S183440** A124566 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MENJIVAR
(EDWIN)****S183447** B212252 Second Appellate District, Div. 8
Petition for review denied**PEOPLE v. ODE (DANIEL)****S183466** E047571 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. CARRILLO
(RAUL ARMONDO)****S183492** A124714 First Appellate District, Div. 1

Petition for review denied

**WANG (JULIE) v. STIMMEL,
STIMMEL & SMITH****S183500** D057217 Fourth Appellate District, Div. 1

Petition for review denied

**DEERE (ARTHUR RAY) ON
H.C.****S183501** H033213 Sixth Appellate District

Petition for review denied

**PEOPLE v. GUTIERREZ
(MIGUEL)****S183504** F059587 Fifth Appellate District
Petition for review denied**SANCHEZ (STEVEN) ON H.C.****S183508** G042331 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. SWARTZ
(RICHARD WALTON)**

S183509 E047091 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. HERRERA
(RICHARD RIOS)**

S183512 E047921 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. LEE
(CHRISTOPHER SEAN)**

S183514 F057999 Fifth Appellate District

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Brown*, S181963.

**PEOPLE v. PLATA, JR.,
(JOSE)**

S183519 B211483 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. MILLER
(MANDREL)**

S183520 A128123 First Appellate District, Div. 5

Petition for review denied
The request for judicial notice is denied.

**WHITE (ELIZABETH
CURRY) v. ARNOLD
(JENNIFER)**

S183528 B214684 Second Appellate District, Div. 2
Petition for review denied

PEOPLE v. RILEY (CARL E.)

S183532 F060214 Fifth Appellate District

Petition for review & application for stay denied

**ALEMAN (ERICK EFRAIN) v.
S.C. (PEOPLE)**

S183534 A123193 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MILLER
(RICHARD)**

S183541 B212972 Second Appellate District, Div. 6

Petition for review denied

**SANTA BARBARA BEACH
CLUB LLC. v. FREEMAN
(BONNIE)**

S183545 B190482 Second Appellate District, Div. 4

Petition for review denied
Moreno, J., is of the opinion the petition should be granted.
George, C. J., was recused and did not participate.

**FRANKLIN MINT COMPANY
v. MANATT, PHELPS &
PHILLIPS LLP.**

S183549 G042207 Fourth Appellate District, Div. 3

Petition for review denied

**WALD (ALEX) v. TRUSPEED
MOTORCARS LLC.**

S183550 F056640 Fifth Appellate District

Petition for review denied
Baxter, J., was recused and did not participate.

**PEOPLE v. GRIFFIN
(ROBERT EARLE)**

S183551 B224260 Second Appellate District, Div. 6

Petition for review denied

**KATZ (RICHARD) v. S.C.
(KATZ)**

S183556 C065107 Third Appellate District

Petition for review denied

**SMITH, SR., (DARRELL M.)
ON H.C.**

S183559 C062747 Third Appellate District

Petition for review denied

**M. (DEBORAH),
CONSERVATORSHIP OF**

S183573 C060366 Third Appellate District

Petition for review denied

**PEOPLE v. BURKHOLDER
(STEVEN BURNETT)**

S183575 B217356 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. JARVIS
(BRANDON EARL)**

S183594 B215078 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. MILLMAN
(DAVID)**

S183598 E047841 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MORENO
(MARSHALL JOSEPH)**

S183600 F057251 Fifth Appellate District

Petition for review denied

**PEOPLE v. ALBARICO (ERIC
PELIAGO)**

S183612 B216445 Second Appellate District, Div. 8

Application to transfer denied

The application to transfer the above-entitled matter now pending in the Court of Appeal to this court is denied.

**CABRERA (INGRID) v. E.
ROJAS PROPERTIES, INC.**

S183613 G042154 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. HERNANDEZ
(DANNI)**

S183618 F058329 Fifth Appellate District

Petition for review denied

**PEOPLE v. JABIN (HECTOR
RICHARD)**

S183619 F057241 Fifth Appellate District

Petition for review denied

**PEOPLE v. CASEY, JR.,
(FRANK ALLEN)**

S183621 E048573 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. ZIMMERMAN
(WESLEY CHARLES)**

S183622 B215939 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. MEDINA
(JOSHUA)**

S183623 H033645 Sixth Appellate District

Petition for review denied

**PEOPLE v. OFFICER
(WILLIAM)**

S183626 B210378 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. KEITH (JAMES
FRANCIS)**

S183627 E049028 Fourth Appellate District, Div. 2

Petition for review denied

IN RE T.M.

S183634 F056695 Fifth Appellate District

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Brown*, S181963.

**PEOPLE v. JOHNSON
(JASON)**

S183655 E048839 Fourth Appellate District, Div. 2

Petition for review denied

IN RE N.D.

S183657 B212566 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. MARQUEZ
(OSIEL)**

S183659 F056531 Fifth Appellate District

Petition for review denied

**PEOPLE v. OLIVER
(ALONZO TOBIAS)**

S183669 E048346 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. PATTERSON
(TIMOTHY)**

S183671 F057887 Fifth Appellate District

Petition for review denied

**PEOPLE v. CREER
(SHAWNSAE N.)**

S183673 B211314 Second Appellate District, Div. 5

Petition for review denied

**FRIEDMAN (MARY) v.
DONAHUE (BARBARA)**

S183762 A128217 First Appellate District, Div. 2

Petition for review denied

**WHITE (ELIZABETH
CURRY) v. ANDERSON
(KEN)**

S177485

Petition for writ of habeas corpus denied

**IMBACH (JASON SCOTT) ON
H.C.**

S178019

Petition for writ of habeas corpus denied

**GARCIA (STEVEN
MICHAEL) ON H.C.**

S178360

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750.)

DELGADO (MOSES) ON H.C.

S178416

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709.)

**ANDERSON (RAYMOND) ON
H.C.**

S179195**GARCIA (MARIO F.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S179199**PEACOCK (RICHARD DEAN)
ON H.C.**

Petition for writ of habeas corpus denied

S179233**QUIROS (LUIS) ON H.C.**

Petition for writ of habeas corpus denied

S179241**DYER (ARTIS) ON H.C.**

Petition for writ of habeas corpus denied

S179245**McARTHUR (RANDALL) ON
H.C.**

Petition for writ of habeas corpus denied

S179273**GAY (HERSCHEL ANDREW)
ON H.C.**

Petition for writ of habeas corpus denied

S179277**JOHNSON (CHARLES) ON
H.C.**

Petition for writ of habeas corpus denied

S179389**LEE (RONNIE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

S179560**DANIELS (JEFFREY M.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S179565**BROWN (BRYANT KEITH)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S179581**RICO (JOSE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S179613**CRAWFORD (DALE) ON H.C.**

Petition for writ of habeas corpus denied

S179626**THOMPSON (TIMOTHY) ON
H.C.**

Petition for writ of habeas corpus denied

S179665**FLORES (JOSE) ON H.C.**

Petition for writ of habeas corpus denied

S179675**WINCHESTER (WAYNE
DENNIS) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S179720**ZOMALT (ZAMAAD GARY)
ON H.C.**

Petition for writ of habeas corpus denied

S179760**LANG (RUSSELL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S179776**LOPEZ (RICARDO) ON H.C.**

Petition for writ of habeas corpus denied

S179792

Petition for writ of habeas corpus denied

ORTEGA (GILIBALDO) ON H.C.**S179794**

Petition for writ of habeas corpus denied

MONTEON (ALFREDO) ON H.C.**S179812**

Petition for writ of habeas corpus denied

AMOS (DONALD) ON H.C.**S179852**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

CASTILLO (RAUL) ON H.C.**S179854**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218.)

ZIMMERMAN (RAYMOND LEE) ON H.C.**S179894**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

HAMILTON (PAUL C.) ON H.C.**S179904**

Petition for writ of habeas corpus denied

DIAZ (WILLIAM) ON H.C.**S179919**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

REED (STEPHEN C.) ON H.C.**S179929**

Petition for writ of habeas corpus denied

ADERHOLT (PETER J.) ON H.C.

S179931

Petition for writ of habeas corpus denied

TIFFIN (ROBERT) ON H.C.**S179945**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**BENTLEY (CHARLES
ERNEST) ON H.C.****S179948**

Petition for writ of habeas corpus denied

**WRIGHT (CRAIG ANTONIO)
ON H.C.****S179958**

Petition for writ of habeas corpus denied

**DELGADO (DAVID M.) ON
H.C.****S179975**

Petition for writ of habeas corpus denied

**ALVAREZ (GABRIEL) ON
H.C.****S179977**

Petition for writ of habeas corpus denied

**SAMPSON (TONY ANDRE)
ON H.C.****S180918**

Petition for writ of habeas corpus denied

**DANIELS (JEFFREY M.) ON
H.C.****S183821**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

**SHIELDS (RAYMOND
ARTHUR) ON H.C.**

S169313 H032438 Sixth Appellate District

Publication requests denied (case closed)

**HERTZ CORPORATION v.
WORKERS'
COMPENSATION APPEALS
BOARD (AGUILAR)**

S182665 A123509 First Appellate District, Div. 5

Publication request denied (case closed)

**WANG (JIAQING) v. CITY OF
ALBANY**

S182736 G042460 Fourth Appellate District, Div. 3

Publication request denied (case closed)

IN RE S.H.

S182753 A124917 First Appellate District, Div. 4

Publication request denied (case closed)

**SAN MATEO, COUNTY OF v.
STATE BOARD OF
EQUALIZATION**

S182790 B216721 Second Appellate District, Div. 1

Publication request denied (case closed)

IN RE JASMIN P.

S182980 B215479 Second Appellate District, Div. 5

Publication request denied (case closed)

**OWENS (FRED L.) v.
CALIFORNIA DEPARTMENT
OF CORRECTIONS &
REHABILITATION**

S183522

Publication request denied (case closed)

**GARCIA (ALFREDO) v.
SIMENTAL (MANUEL)**

S183596 B213638 Second Appellate District, Div. 4

Publication request denied (case closed)

**PEOPLE v. HAYES (CURTIS
LAEL)**

S184258**PEOPLE v. ROMERO (ALEX ROMEO)**

Publication request denied (case closed)

S083594**PEOPLE v. TRUJEQUE (TOMMY ADRIAN)**

Extension of time granted

Good cause appearing, and based upon Assistant State Public Defender Kathleen M. Scheidel's representation that she anticipates filing the appellant's opening brief by December 2010, counsel's request for an extension of time in which to file that brief is granted to September 24, 2010. After that date, only two further extensions totaling about 120 additional days are contemplated.

S097668**PEOPLE v. SHERMANTINE, JR., (WESLEY HOWARD)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to September 21, 2010.

S130524**PEOPLE v. GOVIN (VIRENDRA)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to September 20, 2010.

S137730**PEOPLE v. POWELL (TROY LINCOLN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to September 10, 2010.

S138147**SMITH (GREGORY SCOTT) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Chuck Nacsin's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by March 21, 2011, counsel's request for an extension of time in which to file that brief is granted to September 13, 2010. After that date, only three further extensions totaling about 195 additional

days are contemplated.

S178906

**STRODER (MARY
ELIZABETH) ON H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to August 5, 2010.

S070327

**PEOPLE v. WILSON (ANDRE
GERALD)**

Order appointing Habeas Corpus Resource Center filed

Upon request of condemned prisoner Andre Gerald Wilson for appointment of counsel, the Habeas Corpus Resource Center is hereby appointed to represent Andre Gerald Wilson for habeas corpus/executive clemency proceedings related to the above automatic appeal now final in this court.

Any "petition for writ of habeas corpus will be presumed to be filed without substantial delay if it is filed . . . within 36 months" of this date (Supreme Ct. Policies Regarding Cases Arising From Judgments of Death, policy 3, timeliness std.1-1.1), and it will be presumed that any successive petition filed within that period is justified or excused (see *In re Clark* (1993) 5 Cal.4th 750, 774-782), in light of this court's delay in appointing habeas corpus/executive clemency counsel on behalf of condemned prisoner Andre Gerald Wilson.

S011960

**PEOPLE v. COFFMAN
(CYNTHIA LYNN) &
MARLOW (JAMES
GREGORY)**

Motion for access to sealed record granted

Respondent's motion for access to sealed Penal Code section 987.9 materials and sealed transcripts filed in Case Number S011960, filed on March 26, 2010, is granted. The Clerk is directed to provide counsel for respondent with a copy of the following sealed portions of the record on appeal in this case:

Clerk's Transcript, vol. I of II labeled "*People v. Cynthia Lynn Coffman*," pages 223-238, which pertain solely to James Gregory Marlow and not to codefendant Coffman;

Clerk's Transcript, vol. I of IV labeled "*People v. James Gregory Marlow*," in its entirety;

Clerk's Transcript, vol. II of IV labeled "*People v. James Gregory Marlow*," pages 280-537, 557-565, and 568-580;

Clerk's Transcript, vol. III of IV labeled "*People v. James Gregory Marlow*," pages 581-630, 635-642, 647-660, 664-685, and 687-836; and

Clerk's Transcript, vol. IV of IV labeled "*People v. James Gregory Marlow*," pages 958-963.

These records remain under seal, and their use must be limited solely to pending proceedings in

state or federal court arising from petitioner's convictions and judgments of death in San Bernardino County Superior Court case number SCR 45400. (Pen. Code, § 987.9, subd. (d).)

S080056

PEOPLE v. BELL (MICHAEL LEON)

Record augmentation denied

Michael Leon Bell's application for augmentation of the record on appeal, filed June 10, 2010, is denied.

The request to augment the record with juror questionnaires referred to in section II (A), and the clerk's minutes referred to in section II (B) (2) through (7), fails to conform to California Rules of Court, rule 8.155(a)(2).

The request to augment the record with the records in the cases of Roseada Luralene Travis and Taurean Travis, referred to in section II (C) and sections III (A) and (B) is denied because the requested records are not a part of the normal record on appeal. (Cal. Rules of Court, rule 8.610; *People v. Tuilaepa* (1992) 4 Cal.4th 569, 585.)

The request to augment the record with the clerk's minutes referred to in section II (B)(1) is denied because the requested minutes are already included in the record on appeal. (CT 28)

S062259

PEOPLE v. SCULLY (ROBERT WATER)

Motion denied

Appellant Robert Walter Scully's "Motion to Preserve Records, Evidence, Exhibits, Files, and Other Items Related to Automatic Appeal," filed on June 9, 2010, is denied.

S163905

B194358 Second Appellate District, Div. 6

PEOPLE v. ALBILLAR (ALBERT ANDREW)

Request for judicial notice granted

Appellant's request for judicial notice, filed November 13, 2009, is granted.

S166477

MUNGIA (JOHN) ON H.C.

Motion to file document under seal granted

Petitioner's application, filed on June 1, 2010, to file under seal exhibits in support of his amended petition for writ of habeas corpus is granted. In ordering the sealing, this court makes the findings required by California Rules of Court, rule 2.550(d) and 8.46(e). The Clerk is directed to file these documents under seal.

Petitioner's counsel is ordered to serve a copy of these documents on counsel for respondent, who is ordered not to publicly disclose their contents unless and until there is a further order of this court permitting such disclosure. Counsel are reminded that if they wish to quote, disclose, or describe these documents in any pleading, those pleadings must be filed under seal, for which

permission must first be sought under California Rules of Court, rule 8.46.

S173875**RIGGS (BILLY RAY) ON H.C.**

Motion to file document under seal granted

The application to file under seal Claim 8 of the first amended petition for writ of habeas corpus, filed on May 13, 2010, is granted. The court makes the findings required under California Rules of Court, rule 2.550(d).

The Clerk is directed to file under seal Claim 8 of the first amended petition for writ of habeas corpus.

S181638

E047368 Fourth Appellate District, Div. 2

IN RE W.B., JR.

Order filed

The order appointing counsel, filed on June 15, 2010, is amended to read as follows:

Upon request of appellant for appointment of counsel, Jonathan E. Demson is hereby appointed to represent appellant on the appeal now pending in this court. Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date of this order. Your attention is directed to California Rules of Court, rule 8.520, for the briefing requirements. Please note also that, because this is a child dependency case, the court may grant an extension of time only on "an exceptional showing of good cause." (Code Civ. Proc., § 45; Cal. Rules of Court, rule 8.454.)

S183157**ACCUSATION OF BAZLEY**

Petition denied (accusation)

S183515**ACCUSATION OF PALMER**

Petition denied (accusation)

S183591**ACCUSATION OF WHITE**

Petition denied (accusation)

S183595**ACCUSATION OF KOVACIC**

Petition denied (accusation)

S183610**ACCUSATION OF
WESTERNOFF**

Petition denied (accusation)

S183635

Petition denied

(accusation)

**ACCUSATION OF
PERGAMENSCHIKOV****S183638**

Petition denied

(accusation)

ACCUSATION OF LAZARUS**S183644**

Petition denied

(accusation)

ACCUSATION OF NEWMAN**S183766**

Petition denied

(accusation)

ACCUSATION OF GOINS**S183823**

Petition denied

(accusation)

ACCUSATION OF NG**B211714**

Second Appellate District, Div. 2

**BEN EISENBERG
PROPERTIES – NEW MART
BUILDING, INC. v. JACKSON
& WALLACE, LLP, ET AL.**

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Two to Division Seven.

B214232

Second Appellate District, Div. 7

**PYA INTERNATIONAL LTD.,
ET AL. v. WHITE,
ZUCKERMAN, ETC., ET AL.**

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Seven to Division Two.

C065445

Third Appellate District

**ALLEN II, JR., (COLUMBUS)
v. S.C. (PEOPLE)**

The above-entitled matter, now pending in the Court of Appeal, Third Appellate District, is transferred to the Court of Appeal, Fifth Appellate District.

**BAR MISC. 4186 IN THE MATTER OF THE APPLICATION OF THE COMMITTEE
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA
FOR ADMISSION OF ATTORNEYS (MOTION NO. 932)**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)

1013282-10

The HONORABLE BETTY ANN RICHLI, Associate Justice of the Court of Appeal, Fourth Appellate District, Division Two, is hereby assigned to assist the Supreme Court, as a justice thereof, on July 20, 2010, and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.

